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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

Case No.: 2:21-mj-00321-BNW

v.

Motion to Continue Identity Hearing

JUAN BAPTISTA TROMPETA
CABALLERRO,

Defendant.

The Government respectfully moves to continue the Identity Hearing scheduled for
Tuesday, April 20 at 3:30 pm in this case to a date and time convenient to the Court, but
no sooner than one week from its currently scheduled time.

On April 8, 2021, Defendant Juan Baptista Trompeta Caballerro (“defendant”) was
indicted by a federal grand jury sitting in the Southern District of Florida in case no. 21-
20218-CR. ECF No. 1. On April 14, 2021, defendant made his Initial Appearance in this
District under Rule 5(c)(3) in this case and invoked his right to an identity hearing, which
the Court set for April 20, 2021 at 3:30 pm. ECF No. 2. On April 15, 2021, the Court
ordered defendant released on bond pending trial. ECF No. 5.

1 On April 16, 2021, defendant (who was on parole at the time of his federal
2 indictment) was released from federal custody, but taken into state custody on a parole
3 violation. That same day, the Government petitioned for a writ of habeas corpus ad
4 prosequendum to bring defendant from the Clark County Detention Center (CCDC) back
5 to federal custody for his identity hearing before this Court on April 20. ECF No. 7. The
6 Court granted the petition and issued a writ. ECF Nos. 10, 11.

7 On April 19, 2021, the U.S. Marshals Service (USMS) informed the Court and
8 counsel for both parties that a different process was necessary. Accordingly, it appears that
9 defendant will be unable to appear at the currently scheduled identity hearing. For this
10 reason, the Government respectfully requests that the Court continue this hearing by one
11 week, to permit the USMS and CCDC time make defendant available.

12 Respectfully submitted this 20th day of April, 2021.

13 **IT IS ORDERED that ECF No. 14 is**
14 **GRANTED.**

CHRISTOPHER CHIOU
Acting United States Attorney
District of Nevada

15 **IT IS FURTHER ORDERED that the**
16 **identity hearing in this case is**
17 **continued to 4/27/21 at 1:00 p.m.**

/s/ Jessica Oliva
JESSICA OLIVA
Assistant United States Attorney

18 **IT IS SO ORDERED**

19 **DATED:** 2:49 pm, April 20, 2021



20 **BRENDA WEKSLER**
21 **UNITED STATES MAGISTRATE JUDGE**